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Attorney for the Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KHALID HASAN KHAN.

Plaintiff,

v.

**CAROLYN W. COLVIN, Acting
Commissioner, United States
Social Security Administration.**

Defendant.

Case No. 2:13-cv-1173-GMN-PAL

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME
TO EFFECT SERVICE OF COMPLAINT AND SUMMONS**

(First Request)

Pursuant to Federal Rule of Civil Procedure 4(m), Plaintiff, Khalid Hasan Khan, respectfully requests that the Court extend the date for effecting service and filing proof thereof by 12 additional days or until November 12, 2013. Presently, service and proof of service are due on October 31, 2013.

In support of this motion, Plaintiff relies upon the memorandum of points and authorities set forth below.

MEMORANDUM OF POINTS AND AUTHORITIES

Federal Rule of Civil Procedure 4(m) provides that a defendant, within 120-days of the filing of a complaint initiating a civil action, be served with a copy of the complaint and summons. However, the rule further provides that a Court may extend this deadline for an appropriate period based upon a showing of “good cause.”

In this case, Mr. Khan's Complaint was filed on July 3, 2013. The 120-day period for service of the Complaint, as required by Federal Rule of Civil Procedure 4(m), expires on October 31, 2013. Mr. Khan would have effected service earlier except Defendant made an appearance in this case on September 11, 2013. Subsequently, the parties engaged in discussions exploring the possibility of resolving this case. To that end, undersigned counsel agreed to another extension of time for Defendant to file an Answer. Defendant filed a second extension request on October 25, 2013. The additional time will permit Defendant to compile agency records that will hopefully lead to resolution of this case.

In light of the foregoing, specifically the discussion concerning resolution of this case, good cause exists to extend Plaintiff's time for effecting service of the Complaint to and until November 12, 2013. Plaintiff respectfully requests that the Court grant this request.

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CONCLUSION

For the reasons set forth above, Plaintiff respectfully requests that the Court grant this motion.

Respectfully submitted,

/s/ Paul S. Padda

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Attorney for the Plaintiff

Dated: October 31, 2013

IT IS SO ORDERED:

Plaintiff's time to effect service of the complaint, as required by Federal Rule of Civil Procedure 4(m), is hereby extended by 12-days or until November 12, 2013. On or before that date, Plaintiff shall file proof of service.

UNITED STATES MAGISTRATE JUDGE

www.english-test.net

Dated: November 5th, 2013

CERTIFICATE OF SERVICE

In compliance with the Court's Local Rules, the undersigned hereby certifies that on October 31, 2013, a copy of the foregoing document, "PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO EFFECT SERVICE OF COMPLAINT AND SUMMONS" was served (via the Court's CM/ECF system) upon counsel of record for Defendant.

1/s/ Paul S. Padda

Paul S. Padda, Esq.